

VIA EMAIL appeals-southern-regional-office@fs.fed.us

US Forest Service
Attn: Appeal Reviewing Officer
1720 Peachtree Road, N.W., Suite 811N
Atlanta, GA 30309-9102

Re: Appeal by GA Forest Watch, the Sierra Club and Wilderness Watch, (**Conservation Appeal**) of Decisions for Amendments of the Revised Land and Resource Management Plan (Managing Recreation Uses, Chattooga River) of Forest Supervisors Diane Rubiaco, Paul Bradley and George Bain

Comments of Intervenor, the Whiteside Cove Association into the Conservation Appeal

The WCA incorporates all intervenor comments submitted into the record under the American Whitewater et al appeal filed on 2/24/2012, along with the following supplemental comments specific to the Conservation Appeal of GA FW et al and referencing specific section of said appeal.

Supplemental comments for the Conservation Appeal:

Section 3.1 of the Conservation Appeal outlines that “There is no up-to-date single, comprehensive river management plan.”

The courts found “ *the WSRA requires that the CMP be in the form of a single, comprehensive document, which addresses all the required elements, including both the "kinds" and "amounts" of use*”. [Friends of Yosemite Valley v. Kempthorne, 520 F. 3d 1024,1027 (2008)]

3.1 (a) The EA acknowledges the need for a Comprehensive Review, while citing a narrowly-focused report for meeting this requirement.

Page 2 of the 2012 EA indicates that the “*boating issues could not be resolved without a comprehensive review of all recreation uses and impacts in the Chattooga WSR Corridor.*”; it then references a 2007 Report that, by design, conducted a focused review on a few recreational activities, and only considered 1/3rd of the Chattooga Corridor. The authors of the 2012 EA are playing a shell game referencing multiple documents that purportedly fill the deficiencies of the 2012 EA.

The 2007 *Capacity and Conflict Report* outlines its goals on page 3: “*the goal of this report is to summarize key findings from the data collection conducted*”; adding a short list (not comprehensive) of collected visitor data (on anglers and boaters) and a review limited to the *Upper Chattooga* id.

The voluminous Assessment/s does not make up for the fact that the EA is not comprehensive, nor can page-count hide the deficiencies pointed out by Forest Watch and the Whiteside Cove Association numerous times over the past seven years.

3.1 (b) Contradictory to the 2002 Boater Assessment on the Chattooga.

The USFS has preformed two separate EAs in the last decade assessing boating on the Chattooga. The 2002 EA assessed boating only in the lower reaches, while the 2012 EA assessed boating capacity on the upper. The 2002 Decision increased boating capacity on the lower by 25% in order to avoid limiting private boaters below highway 28. This, despite increased riparian impacts, and after having displaced most non-paddling visitors who were not considered in the 2002 EA.

Dissatisfied with a ‘paltry’ 25% increase over 60% of the resource, or simply surprised at how easily the agency increased use limits, the Kayak Lobby also appealed the 2004 Decision to continue zoning boats to section below highway 28, resulting in the 2012 EA.

These two Chattooga boating EAs were never assessed collectively for a comprehensive review of capacity within the designated resource, which will be managed under a single revised plan. Further, these EAs contradict each other when assessing boating affects on the environment. That the 2012 EA is not comprehensive is obvious, but it also contradicts the 2004 FEIS findings with no cited facts or review. The Chattooga deserves a forest-wide, unified Comprehensive Management Plan (CMP).

3.1(c) Contradicts the 1996 ORV analysis findings, with no factual support.

The USFS published *Analysis of the ORVs for the Chattooga WSR (1996)* that claims to satisfy the 1986 WSR requirement for a Comprehensive Management Plan [§ 1274(d)2]. However, the 1996 analysis acknowledges that remoteness and solitude were *major reasons for Chattooga designation*.id 9, reaffirming solitude and remoteness as Chattooga ORVs. The 1996 analysis also noted ***“increase in boaters on the river ... caused some decrease in solitude”*** id 10, indicating a diminishment of this designation value from boating. Since boating was only permitted along the lower Chattooga, the decrease in solitude discussed in 1996 applied to the lower Chattooga. This while the upper river continued protecting the remote experience and solitude valued at designation; that diminished experience is NOT assessed in the 2012 EA.

The 1996 report details how the use of the river has changed in nature and magnitude, and the experience has *changed* id9 and is *different* id10 because of the increased floating use. The myopic scope in which the 2012 Decision was assessed, did not consider the documented diminishment of solitude, nor the degradation of the visitor experience downriver, and rather proclaimed the inability to find any negative effects of boating. Clearly if the 2012 Decision *revises* the 2004 RRLMP, and the incongruent logic among the 2002 EIS , 2004 FEIS and 2012 EA are contradictory and in no way a comprehensive review of the Chattooga WSR.

3.1 (d) Cross References

Pages 3-14 of the 2012 Whiteside Cove Association (WCA)Appeal of the 2012 Decision provide additional support to the Conservation Appeal request for Comprehensive planning, or a Comprehensive Management Plan.

Additional potential errors in law include:

- i. The limited scope of review is a violation of 36 CFR § 219.5 (a).
- ii. The Review and analysis violated ISO 14001 which is a violation of 36 CFR § 219.5 (b)
- iii. The violations under NEPA are in violation of 36 CFR § 219.4

Section 3.2 of the Conservation Appeal

“Current capacity guidelines are arbitrary and permit degradation.”

Boating Capacity for the upper Chattooga establishes degradation to other values, primary emphasis features and to the riparian zone in ways not listed within the GA FW appeal. See WCA Appeal of the 2012 Decision pages 15, 18

Additionally, the *Analysis of the ORVs for the Chattooga WSR (1996)* USFS praised the access limitation for protecting the Chattooga resource and the remote experience offered (id 9-10), while also highlighting concerns of trail and road sedimentation from recreational use. id2. Therefore, degradation created by expanding boating includes not only ‘designated’ access trails, but also additional scouting trails along the sensitive riparian zone. The agency must consider the affects from reopening closed trails as a connected action to the 2012 Decision. Designating trails -previously closed to protect the Chattooga ORVs- for the purpose of accommodating paddlers establish a preferential policy that is inequitable to not only non-paddlers, but in violation of the statutes protecting the ‘primary emphasis values’ above increased recreational use [16:28 USC 1281].

Sections 3.3 & 3.4 of the Conservation Appeal

“ Adaptive Management & Management Action Before Degradation. “

(a) In February of 2012 the Sumter USFS described adaptive management on the Chattooga River as an *‘implement-monitor-adapt’ strategy that provides the US Forest Service with the management flexibility it needs to account for inaccurate initial assumptions, to adapt to changes in environmental conditions or to respond to subsequent monitoring information* (FSH 1909.15, Chapter 10, 14.1). [p. 49 2/3/2012 Response to Public Comments, Chattooga WSR.]

Although encouraging that the Forest Service acknowledges that the EA may contain ***inaccurate assumptions***, it appears imprudent to expand boating into areas where the agency acknowledges increased vegetation trampling would be most severe from new portage, scouting and access trail especially in the Chattooga Cliffs reach. The 2004, 2002, 2009 and 2012 all discuss increasing sedimentation and more riparian impacts as a result of increased boating use, but there appears to be a disconnect between acknowledging this degradation, new recreational policy and the Agency willingness to implement corrective action halting degradation.

Specifically, no variables that would monitor for this expected degradation in the riparian zone are included in the adoptive management strategy. Since monitoring would not account for likely riparian degradation, the agency policy makes clear it has no intention of correcting resource damage from expanding boating, nor does the agency appear interested in *accounting for inaccurate assumptions* within the 2012 EA. This, despite the questionable objectivity of EA assumptions (The EA being predicated on assumptions made by outside consultants who

were recommended to the by the Kayak Lobby and used a methodology co-authored by the same lobby seeking unlimited access of the Chattooga. see WCA Appeal of the 2012 Decision)

(b) A review of the 2002 lower Chattooga Boating Assessment indicates sedimentation from boating trails for scouting, portage, camping or simply ‘boating breaks’ will result in increased sedimentation into the water. Under the 2002 EA, those *concerns* were supposed to have been monitored for compliance with WSR non-diminish standards. They were not as discovered in the 2007 trail assessment.

(c) In 2007 the Agency analyzed the proliferation of user-created trails along the Lower Chattooga and discovered that far more trails were found along the heavily boated section of the lower Chattooga, yet has still done nothing to correct the diminishment of these primary emphasis features, by decreasing boating overuse on the lower river.

The Agency’s unwillingness to monitor, then institute corrections to documented impacts on the lower River, indicates that adoptive management under the direction of the Sumter Forest Service is a hollow promise with respect to limiting boating anywhere on the Chattooga.

The agency’s own management prescriptions make clear that policy should prioritize preservation over recreation, (*Where the riparian corridor management prescription area overlaps with lands that have been allocated to Management Prescriptions Wilderness, Wild/Scenic/Recreational River, Special Areas, and Rare Communities; then whichever management direction is the most restrictive will apply.*) P-3-42 Sumter 2004 RRLMP

So although the agency prescribe the *most restrictive management direction* for protecting riparian zones, it simultaneously increased boating capacity limits by 25% in 2002 for the lower Chattooga, than expanded boating into the upper Chattooga in 2012. This, despite documented impacts to the riparian zone from overuse.

After finding a proliferation of user trails in 2007 along the lower Chattogoa, the agency has not lowered the increased capacity limits, nor implemented corrective action reducing use creating riparian deterioration. Such a policy conflicts with Sumter USFS management prescriptions.

The disingenuous assurance to ‘monitor’ increased impacts along the lower Chattooga provides a clear indication that a 2012 proposed adoptive management strategy is another circumvention of assessing impacts and meeting WSR mandates (which prioritizes protection of the resource over granting unfettered access to sensitive areas). Agency inactions along the lower Chattooga, provides clear evidence that adoptive management along the Chattooga provides nothing more than a shield with which to evade NEPA compliance.

Section 5.1 of the Conservation Appeal:

“The ‘interim’ plan to allow boating put-ins has not been evaluated pursuant to NEPA.”

5.1 (a) In response to public concerns over the location and potential damage from the new access trails on the Chattooga Cliffs Reach the agency assured the public any new trails would require a NEPA review. On February 8, 2012 the agency published that “Any

proposed trails to be constructed or designated as a Forest Service system trail would require site-specific NEPA analysis including analysis of resource impacts and informing the public.” [p. 37 *Responses to Public Comments on draft EA*]. The following week on February 14th, the agency implemented their decision which opened the Chattooga Cliffs to boating and directed boaters to use these new trails and other undefined trails. All this without “*including analysis of resource impacts and informing the public*”.

5.1 (b) A federal court of appeals has determined that failure to establish a baseline of recreation usage that would protect and enhance a wild and scenic river’s outstandingly remarkable values and relying instead on a reactionary management response only after degradation occurs violates applicable law. *See Friends of Yosemite Valley v. Kempthorne*, 520 F.3d 1024 (9th Cir. 2008). In the Biological Evaluation, the Forest Service acknowledges that population sizes of sensitive species in the WSR corridor could not be determined during the field survey (pg 17) and that introducing boating to the upper Chattooga would extend impacts to sensitive populations in Chattooga segments that are currently inaccessible. *Id.* at 16. The new policy announced in the EA provides that “[m]anagement actions would be taken if monitoring indicates adverse impacts from recreational activities. . . .” *Id.* at 18. Unfortunately, without an inventory of baseline conditions, it would be impossible for the USFS to measure the effects any new recreational policy would have on the resource. So also, as the court determined in *Yosemite Valley*, responding to degradation after it occurs violates the “protect and enhance” mandate of 16 U.S.C. § 1281(a).

5.1 (c) Similarly, the Forest Service acknowledges in the EA (*e.g.*, pp.141, 170) that new trails use will result in increased sediment into the Chattooga River (and road/parking use will as well), but claims that this negative impact from expanding boating access will be offset by hiking trail closures and camp closures. According to the Biological Evaluation (p.18), “there will be an overall net reduction in sediment when watershed improvement projects are implemented in the Chattooga River watershed.” However the “watershed improvement projects” that would close hiker access and reduce backpacker capacity are not listed in the EA, but are part of an implementation plan that is still incomplete and undefined. Without knowledge of the amount and location of trail and camp closures, the promise of a net reduction from any watershed improvements remains speculative and certainly does not warrant rushing to implement the new policy now. So also, the location and amount of new portage trails remains unknown and will shift based on LWD and boater skill level. With the location for the proposed new access trail to Greens Creek and Norton Mill Creek being still undetermined and the amount and effect of new boater portage trails unknown, the USFS cannot possibly determine the cumulative impact from the new trail system, or if that impact would be offset by an unknown and undefined reduction in current trails and camp facilities. Once again, the proposed stay is the most prudent course of action

5.1 (d) Put-in Trail Policy ignores the 1971 Study Report Findings:

Both the ‘below Greens Creek’ and Norton Mill Creek access are located on what was the Private land before agency acquisition in 1974. The 1971 Study recognized that “existing trails need substantial reinforcement and some relocation to withstand any appreciable visitor impact.” P.92 The report added that, the public should be allowed access “**only after an adequate reinforcement system of trails is completed through these sections and only after the Forest Service can provide reasonable cleanup, policing and administration of these lands.**”p94 The greens creek access trail does not meet these these requirements outlined in the 1971 congressional documents.

The 1971 Report also made clear that the public should be ‘**restricted to designated trails across these lands.**’ Adding, “This should be **strictly enforced by the Forest Service, and if necessary, some means of physical restraint should be used to correct any problem areas.**”p.94

Counter to this direction published in the 1971 Study report, the agency claims that *they do not restrain users from creating trails*, or parking wherever they like within the WSR corridor. This despite finding that these user-created trails and camps were impacting the Chattooga resource.

Section 5.2 of the Conservation Appeal: “cumulative impacts have not been considered.”

The EA claims “Cumulative impacts will be addressed for the entire Chattooga watershed above Tugaloo Lake.” Id 153. Although the GA FW appeal points out the discrepancy with respect to the law, it did not include the inconsistency within the 2012 EA itself.

The geographic scope assessed in the EA remain inconsistent between the EA, and BE, and within the EA itself. The 2009 EA was redacted for a far smaller inconsistency between the plans

Section 5.3 of the Conservation Appeal: The Forest Service should have included management of the whole Chattooga WSR Corridor in one NEPA document.

The Whiteside Cove Association appeal goes into extensive detail discussing why the scope of assessment was deficient, both geographically and socially. With this intervention we incorporate those WCA comments into the GA FW appeal. Pg 3-15

Section 5.1 of the Conservation Appeal: Requests an EIS be prepared:

“If an EA establishes that the agency’s action ‘may have a significant effect upon the . . . environment, an EIS must be prepared.’” [Sierra Club v. Bossworth (2007)]

5.1 (a): The 2012 EA makes clear that new policy may have a significant impact, and by acknowledging that adaptive management is necessary to monitor the effects of expanding boating in order to ‘correct inaccurate assumptions’. Further, the EA acknowledges deficiencies, which avoid assessing the impacts (direct, indirect and cumulative) boating will have to the environment (social and economical). By avoiding assessment of impacts boating will have to wildlife, property and other visitors, the agency could not possibly know, IF the affects of their action created by the 2012 Decision will be significant. The 2012 avoided a ‘hard look’ at affects from a revised recreational policy; this is not sufficient to satisfy the NEPA guidance with respect to publishing an EA and avoiding a complete EIS.



5.1 (b): Not Tiered

Further, the finding from the 2004 Sumter FEIS appear to have been disregarded and replaced with an incomplete 2007 visitor capacity analysis and subsequently flawed 2012 EA.

Excerpts from the 2004 FEIS below

From Appendix H of the 2004 Sumter FEIS: Assessing expanding boating

Because a significant number of these encounters may be undesired, user conflicts are very likely to result. . . . Conflicts can also occur when an actual encounter (visual or auditory) brings about a loss of solitude. Similarly, conflicts might arise at access points from competition for limited parking, or when boaters congregate at the put-in or take-out and actually interfere with or otherwise disturb the fishing activity. Potential for these types of conflicts appear to be highest at Burrells Ford Bridge” p. H-16

“A group of boaters would almost certainly be an intrusion to their experience. encounters would be expected to increase in the future through natural growth of both activities” p. H-17

The independent 2012 EA is completely disconnected to the 2004 FEIS findings and at times contradictory. In order to avoid a complete EIS, EAs are required to be ‘tiered’ to a FEIS [40 C.F.R. § 1502.20]; the 2012 FEIS does not disprove the facts published in the 1977, 1985, 1996 or 2004 Assessments and report. Rather than reference or correct previously published finding from the 2004 FEIS, the 2012 EA assesses in isolation of all previous EAs and avoiding any cohesive assessment of the affects from new policy (reference WCA intervention into the kayak lobby appeal)

8.2 Sediment:

Regarding Sedimentation, the USFS should also take into account these following citations that are part of the public record in these proceedings:

8.2(a): Sediment notes within the 1971 Study:

Both the 'below Greens Creek' and Norton Mill Creek access are located on what was Private land before agency acquisition in 1974. The 1971 Study documented that these "existing trails need substantial reinforcement and some relocation to withstand any appreciable visitor impact." id92 . The 71 report added that, the public should be allowed access "only after an adequate reinforcement system of trails is completed through these sections and only after the Forest Service can provide reasonable cleanup, policing and administration of these lands." id94

The 1971 Report also made clear that the public should be '*restricted to designated trails across these [then] private lands.*' Adding, "*This should be strictly enforced by the Forest Service, and if necessary, some means of physical restraint should be used to correct any problem areas.*" id.94 Counter to this direction published within the 1971 Study report, the agency now claims that they do not restrain users from creating or using trails, over private or public lands, nor parking wherever they like within the corridor.

8.2(b): Sedimentation is exasperated during boating periods:

The agency fails to consider the consequence of increasing road and trail use after heavy rains, which is the only time boating is possible.

In Response to the 2011 Draft EA, Bill Floyd wrote:

- Specifically, the EA admits that the introduction of boating under any of the possible alternatives will involve increased erosion and sedimentation from increased portages. EA at 259.
- The EA acknowledges that during "the winter season, soils are usually moist for a longer duration and are subject to freeze/thaw processes than at other times during the year. These conditions make soils more sensitive to compaction and displacement." EA at 267.
- Furthermore, "[s]oils that are finer in texture such as the silts and clays are more compacted than the sandy soils." EA at p. 267. And "soils that have a very high content of mica are considered to be micaceous soil types. The erode easily because they lack clay to bond the soil materials together and generally exist in unstable conditions.....High levels of mica tend to be present throughout the river corridor and tend to be very prominent near the South Carolina/North Carolina border. Approximately, 45.51% of the soils in the corridor are micaceous soils." EA at p.260
- "An increase in the number of users, combined with more frequent use, increases soil compaction and displacement on the trails tread during the winter. Erosion and sediment would also increase from exposed soils during the winter due to an increase of rainfall and runoff." EA at 267.
- "During flood stage and bank full events, flow volume would directly impact soils that are adjacent to the river." EA at p.268.
- Nevertheless, the EA naively concludes that "impacts from a new use, boating, and connected actions would also be minor" EA at 259. This conclusion fails to give any critical explanation of why these significant at risk soil conditions would not be further exacerbated or degraded unlawfully by the introduction of boating to the upper Chattooga during the winter season.
- To make matters worse, boaters have asserted numerous times on the public record and the Forest Service EA assumes that undesirable encounters between incompatible user groups will largely be avoided because boaters will only be using the upper Chattooga intensely during those calendar periods when river flows are expected to exceed what is alleged to be an acceptable level for others like fisherman, hikers, birders, swimmers, campers, etc. to be on the river.
- In fact, whitewater enthusiasts look forward to weather related events to create near bank full rivers and high water creeks. Near bank full rivers elevates the challenge and desirability of the whitewater. Consequently, maximum boater presence should occur in the event of such high water related weather.
- Consequently, the EA is deficient because it fails to adequately address the

relevant problem that boaters are likely to be using the river in the winter at the exact same time when weather related events creates special enhanced risk of substantial soil erosion. To blithely conclude that erosion will be minimal fails logically to consider this relevant information.

The Agency did not take a hard look at the increased sedimentation caused by expanding recreational use during and after heavy rain storms. The Forest Service handbook suggest policy should (reduce the potential for road surface disturbance during wet weather and reduce sedimentation probability) FSH 2509.22 - 15.23. Even suggesting (Roads not constructed for all weather use should be closed during the wet season. id) The agency acknowledges that use of the dirt roads during wet conditions will exacerbate sedimentations problems and has published road use is the number one contributor to sedimentation into the Chattooga (2004 FEIS). Boaters require not only initial parking and access, but also extensive shuttling cars between put-in and take-outs, and all this will occur after heavy rains when the resource soils can least endure excessive use.

The 2012 Decision that increases sedimentation cannot be reconciled with the findings published by the USFS in the 2004 Sumter RLMP, nor the associated 2004 FEIS.

8.2 (c): The 2002 FEIS Recognizes Sedimentation is caused by boating trails.

The 2002 Sumter Boating FEIS noted "*Sediment is a concern within the Chattooga Watershed because of its effects to water quality, aquatic life and recreation uses of the river. Erosion and sediment levels are naturally high to some extent due to the high rainfall, well-weathered soils and steep and dissected slopes. The Chattooga River has high sediment levels as a result of roads, ... Recreational impacts include trails in the channels, stream banks, and immediate vicinity. Recreational activities may expose soils and/or dislodge fine particles from the streambank and streambed."* Id32 Adding "*Impacts include soil exposure, damage to riparian vegetation from compaction and sometimes soil erosion.*" pg 33 2002 Sumter Forest Service FEIS

Impacts from increasing boater capacity by 25% on the lower River will cause erosion on the lower river. Boater trails needed along the upper Chattooga will increase from zero, making the percentage increase thousands of times greater upstream.

8.2 (d): The Kayak Lobby Recognize New Trails Create Severe Biological Impacts:

Even the Kayak Lobby acknowledges that new portage and scouting trails will create significant biological impacts. In a letter to the NPS in 2005 AW wrote:

"Study after study on rivers around the nation demonstrate that most visitor impacts occur in the first period of use at new trails ... biological impacts occur early when visitors first trample and compact vegetation."¹

¹ American White submitted letter to Superintendent Alston for the NPS Regarding "the Grand Canyon DEIS Comments", January 31, 2005 signed J.Roberston

Even the Kayak Lobby recognizes that most visitor impacts occur when establishing new trails. Both the agency and kayak lobby admit that portage and scouting along the riverbanks is an integral part of paddling and trail locations constantly shift with the shifting river obstructions created by the Large Woody Debris.

The location of boater trails is often unique to boater-specific needs. Newly created scouting and portage trails along the riparian zone are required to meet the new and unique requirements of paddling. This important element to the proposed policy is not assessed in the 2012 EA.

8.2(e): Management prescriptions for the Sumter USFS prioritizes riparian protection over other Forest goals including recreation. P-3-42 Sumter 2004 RRLMP.

8.2(f): The 1996 Chattooga WSR Analysis of ORVs discusses sedimentation concerns.

Intense recreational use and Forest System Road use contribute to sedimentation problems and diminish water quality. Id 2

8.2(g): North Carolina State Laws:

The North Carolina Sedimentation Pollution Control Act of 1973 ("the Act"), addresses the State's problem of sedimentation pollution and is codified in Article 4 of Chapter 113A of the General Statutes. Indiscriminate riparian use and building of new trails (especially those for scouting and portage), would not meet the state requirements established in order to minimize siltation into designated trout streams. The USFS will violate North Carolina Stream buffer laws specifically N.C.G.S. § 113A-57(1), which provides: “ No land-disturbing activity subject to this Article shall be undertaken unless a buffer zone is provided along the margin of the watercourse of sufficient width to confine visible siltation within the twenty-five percent (25%) of the buffer zone” ; the serendipitous nature of portage trail expansion required by boaters under the revised USFS plan does not meet . The documented proliferation of boater trails downstream verify this finding.

The NC state law makes clear that “*the purpose of the Act is to minimize sedimentation ... Each sentence of the preamble refers to sedimentation and the steps that the State must take in order to control the effects of erosion and sedimentation.*” [HENSLEY v. North Carolina, 2010 NC supreme court]. A policy in which ‘boaters can make any new trails they wish’ , is the agency action under the 2012 Decision, and this action is in violation of NC State laws protecting water quality.

The 2012 letter from the NC Department of Natural Resources indicates that the Forest Service Biological Assessment informed the state of North Carolina to expect a net reduction in sedimentation under the proposed new policy because of the camp and trails closures elsewhere. Yet, the location and affects of trail closures or creation within North Carolina is absent from consideration.

For the reasons cited above, the threat of new sedimentation is real and overlooked. Therefore, the Conservation Appeal's *request for relief* should be granted.

8.4 Trail Density:

Excessive use of the riverbanks in the sections classified as WILD is particularly disturbing.

On Wild segments *watersheds and shorelines* are to remain *essentially primitive* and *generally inaccessible* [WSR Act sec 2(b)]. The required new portage and scouting trails in the Wild segments encourages new trails and expects and increase of 'human activity on the shoreline' which would diminish the natural and scenic values associated with the upper Chattooga.

The Forest Service handbook (FSH 2309.18) suggests these 'Wild' shorelines should show '*no evidence of human activity*'. Yet the assessments and kiosk literature envision numerous new trails, for put-in, take out, scouting and portage. Since the proposed alternative allows boating in these wild areas, and expects new boater trails along the riparian zone, the agency is violating the WSR statutes as well as ignoring its own management prescriptions.

9 Safety: (Please incorporate the comments from the WCA appeal p 21)

In Conclusion: For the reasons mentioned above, the Conservation Appeal from Forest Watch, the Sierra Club and Wilderness Watch should be granted and each request for relief considered in full. Boating should remain further downstream as congress intended.

Sincerely,

/s/Michael Bamford

Michael Bamford
Global Stewardship Director
Whiteside Cove Association
PO Box 2294
Cashiers, NC 28717
(770) 509 – 4866

cc: Rachel Doughty Greenfire Law and Colburn for the Kayak Lobby
